

Jennifer D. McKee (State Bar No. 9624)  
CLYDE & CO US LLP  
3960 Howard Hughes Parkway, Suite 500  
Las Vegas, Nevada 89169  
Telephone: (702) 990-3741  
Facsimile: (702) 990-3701  
Email: jennifer.mckee@clydeco.us

Attorneys for Defendant  
HARBOR FREIGHT TOOLS USA, INC.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

HABATMU MENGESHA,  
individually

Plaintiff,

v.

HARBOR FREIGHT TOOLS USA,  
INC., a Delaware corporation;  
CENTRAL PURCHASING, LLC; a  
California limited liability company by  
merger with CENTRAL  
PURCHASING, INC. and BUY NOW  
& SAVE CORP; DOES 1 through 20;  
and ROE CORPORATIONS 1 through  
20, inclusive,

Defendants.

Case No.: 2;18-cv-02158-RFB-GWF

STIPULATION FOR AN ORDER  
CONTINUING THE INITIAL  
DISCLOSURE SERVICE DATE AND  
JOINT DISCOVERY PLAN AND  
SCHEDULING ORDER FILING AND  
SERVICE DATE DUE TO  
IMPENDING SUBSTITUTION OF  
COUNSEL FOR HARBOR FREIGHT  
TOOLS, USA, INC. [PROPOSED]

FIRST REQUEST

Plaintiff Habtamu Mengesha (hereinafter "plaintiff") and defendant Harbor Freight Tools, USA. Inc. (hereinafter "Harbor Freight Tools"), by and through their counsel of record, hereby submit a stipulation for an order continuing the initial disclosure service date and Joint Discovery Plan and Scheduling Order filing and service date, as follows.

WHEREAS, on December 17, 2018, pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule 26-1(a), counsel for the parties participated in a Conference of the Parties. Plaintiff participated in the Conference through its

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counsel, Sagebrush Lawyers, and Harbor Freight Tools participated through its counsel, Clyde & Co. US LLP;

WHEREAS, by virtue of holding the Conference on December 17, 2018, pursuant to Federal Rule of Civil Procedure 26(a)(1)(C), the last day upon which the parties may serve their initial disclosures is December 31, 2018;

WHEREAS, on December 28, 2018, plaintiff's counsel served plaintiff's initial disclosures on Harbor Freight Tools, the receipt of which is acknowledged by counsel, Clyde & Co. US LLP.

WHEREAS, by virtue of holding the Conference on December 17, 2018, pursuant to Federal Rule of Civil Procedure 26(f)(2) and Local Rule 26-1(a), the last day on which the parties may file the Joint Discovery Plan and Scheduling Order is December 31, 2018;

WHEREAS, on December 27, 2018, Harbor Freight Tools executed a Substitution of Counsel, filed concurrently herewith, substituting Josh Cole Aicklen and Jesse N. Panoff of Lewis Brisbois Bisgaard & Smith, LLP as counsel for Harbor Freight Tools;

WHEREAS, once the Substitution of Counsel is executed by the Court, new counsel for Harbor Freight Tools requires additional time to review the documents and information in Harbor Freight Tool's possession, prepare Harbor Freight Tools' initial disclosures and confer with plaintiff's counsel regarding the proposed Joint Discovery Plan and Scheduling Order;

WHEREAS, the parties agree that good cause exists for the Court to provide the parties with a fourteen (14) day continuance of the deadlines noted; and

WHEREAS, this is the first stipulation for an order continuing the initial disclosure service date and Joint Discovery Plan and Scheduling Order filing and service date;


IT IS HEREBY STIPULATED THAT good cause exists for the Court to continue: (1) the last day for service of initial disclosures from December 31, 2018

CLYDE & CO US LLP  
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1 to January 14, 2019; and (2) the last day for service and filing of the Joint  
2 Discovery Plan and Scheduling Order from December 31, 2018, to January 14,  
3 2019.

4 IT IS SO STIPULATED.

5  
6 Dated: December 28, 2018 CLYDE & CO US LLP

7  
8 By:   
9 JENNIFER D. MCKEE  
10 Attorneys for Defendant  
11 HARBOR FREIGHT TOOLS USA, INC.

12 Dated: December 28, 2018 LEWIS BRISBOIS BISGAARD & SMITH LLP

13 By:   
14 JOSH COLE AICKLEN  
15 JESSE N. PANOFF  
16 Attorneys for Defendant  
17 HARBOR FREIGHT TOOLS USA, INC.  
18 (substitution of counsel pending)

19 Dated: December 28, 2018 SAGEBRUSH LAWYERS

20 By: /s/ Christopher W. Carson<sup>1</sup>  
21 CHRISTOPHER W. CARSON  
22 TRENT L. RICHARDS  
23 Attorneys for Plaintiff  
24 HABTAMU MENGESHA

25 IT IS SO ORDERED.

26 Dated: 1/2/2019  
27   
28 UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> Signed by permission received by email on December 28, 2018

**PROOF OF SERVICE**  
**STATE OF CALIFORNIA**  
**COUNTY OF SAN FRANCISCO**

I am a employed in the County of San Francisco, State of California, I am over the age of eighteen years, and not a party to the within action. My business address is 101 Second Street, 24th Floor, San Francisco, California 94105.

On December 28, 2018, I served the document(s) described as:

**STIPULATION FOR AN ORDER CONTINUING THE INITIAL  
DISCLOSURE SERVICE DATE AND JOINT DISCOVERY PLAN AND  
SCHEDULING ORDER FILING AND SERVICE DATE DUE TO  
IMPENDING SUBSTITUTION OF COUNSEL FOR HARBOR FREIGHT  
TOOLS, USA, INC. [PROPOSED]**

on the parties in this action addressed as follows:

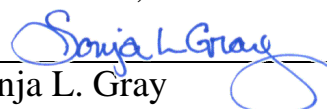
SEE ATTACHED SERVICE LIST

in the following manner:

- ☐ **(BY FAX):** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below, or as stated on the attached service list, on this date before 5:00 p.m.
- ☒ **(BY MAIL):** as follows: I am “readily familiar” with the firm’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.
- ☐ **(BY OVERNIGHT DELIVERY):** I caused such envelope(s) to be delivered to an overnight delivery carrier with delivery fees provided for, addressed to the person(s) on whom it is to be served.
- ☐ **(BY PERSONAL SERVICE):** I caused such envelope(s) to be delivered by hand this date to the offices of the addressee(s).
- ☒ **(BY CM/ECF):** by electronic filing system with the clerk of the Court which will send a Notice of Electronic Filing to all parties with an e-mail address of record, who have filed a Notice of Consent to Electronic Service in this action:

I declare I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on December 28, 2018, at San Francisco, California.

  
Sonja L. Gray

CLYDE & CO US LLP  
3960 Howard Hughes Parkway  
Las Vegas, NV 89169  
Telephone: (702) 990-3741

**SERVICE LIST**

Christopher W. Carson, Esq. (State Bar No. 9523)  
Trent L. Richards, Esq. (State Bar No. 11448)  
SAGEBRUSH LAWYERS, LLC  
2350 West Charleston Blvd., 2<sup>nd</sup> Floor  
Las Vegas, NV 89102  
Telephone: (702) 800-7634  
Facsimile: (702) 800-7635  
Email: [ccarson@sagebrushlawyers.com](mailto:ccarson@sagebrushlawyers.com)  
[trichards@sagebrushlawyers.com](mailto:trichards@sagebrushlawyers.com)

Attorney for Plaintiff  
HABATMU MENGESHA

Josh Cole Aicklen (Nevada Bar No. 007254)  
Jesse N. Panoff (Nevada Bar No. 10951)  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
Telephone: (702) 893-3383  
Facsimile: (702) 893-3789  
Email: [Josh.aicklen@lewisbrisbois.com](mailto:Josh.aicklen@lewisbrisbois.com)  
[Jesse.panoff@lewisbrisbois.com](mailto:Jesse.panoff@lewisbrisbois.com)

Attorney for Defendant  
HARBOR FREIGHT TOOLS  
(substitution of counsel pending)